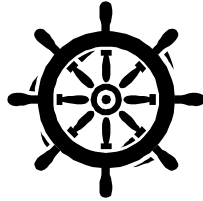


**ENVIRONMENTAL ASSESSMENT
FOR THE CONVERSION OF A
PORTION OF GENESEE VALLEY PARK
UNDER THE LAND AND WATER CONSERVATION FUND ACT
AS A RESULT OF THE
BROOKS LANDING REVITALIZATION PROJECT**

Appendix D:
Brooks Landing
Urban Renewal Plan

June 2005

BROOKS LANDING



URBAN RENEWAL PLAN

prepared by:

CITY OF ROCHESTER, NEW YORK

economic development DEPARTMENT

JANUARY 2003

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BROOKS LANDING

URBAN RENEWAL PLAN

I. DESCRIPTION OF PROJECT:

Location/Boundary

The Brooks Landing Revitalization Project is located in Rochester, New York, along the west bank of the Genesee River/NYS Erie Canal at the intersection of Brooks Avenue and Genesee Street and across the river from the University of Rochester campus. The project area is divided into three Sub-Areas: I, II & III. (See **“Exhibit A” for project Boundary Map**)

PROPOSED BROOKS LANDING URBAN RENEWAL DISTRICT LEGAL DESCRIPTION:

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York and described as follows:

Beginning at a point in the centerline of Genesee Street at it's intersection of the westerly extension of the northerly line of Agnew Place as shown on a subdivision map of Agnew Park as filed in the Monroe County Clerk's Office in Liber 30 of maps at page 18;

- Thence 1) Easterly along said extension and the northerly line of Agnew Place and the northerly line of Lot 4 of said subdivision a distance of 236 feet more or less to the westerly line of lands formerly owned by the Penn Central Corporation and deeded to the City of Rochester as per a deed recorded in the Monroe County Clerk's Office in Liber 6614 of deeds at page 158;
- Thence 2) Northerly along the westerly line of lands owned by the City of Rochester as per the aforementioned deed a distance of 50.6 feet more or less to the northwest corner of parcel 135.35-01-20 as shown on the current City of Rochester Tax Map and described in the aforementioned deed;
- Thence 3) Easterly along the northerly line of said parcel 135.35-01-20 and it's easterly extension a distance of 113 feet more or less to the easterly line of lands now owned by the City of Rochester as per a deed recorded in the Monroe County Clerk's Office in Liber 6656 of deeds at page 212;
- Thence 4) Southerly along the said various courses of the easterly line of lands of the City of Rochester to the northerly line of Brooks Avenue;
- Thence 5) Easterly along the northerly line of Brooks Avenue and it's easterly extension a distance of 227 feet more or less to the bank of the Genesee River;
- Thence 6) Southerly along the bank of the Genesee River a distance of 880 feet more or less to a point;

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- Thence 7) S 89° 57' 53" W a distance of 198 feet more or less to the easterly line of lands owned now or formerly by Esau and Albert Miller as per a deed filed in the Monroe County Clerk's Office on January 16, 1968 and filed in Liber 3874 of deeds at page 589;
- Thence 8) N 5° 16' 24" E along the easterly line of said Miller which is also the westerly line of lands owned now or formerly by the City of Rochester a distance of 38.94 feet to an angle point;
- Thence 9) N 00° 39' 44" W along the westerly line of lands owned now or formerly by the City of Rochester a distance of 63.98 feet to a point;
- Thence 10) N 00° 02' 07" W and continuing along the westerly line of lands owned now or formerly by the City of Rochester a distance of 133.94 feet to a point;
- Thence 11) N 00° 23' 56" E and continuing along the westerly line of lands owned now or formerly by the City of Rochester a distance of 65.97 feet to a point;
- Thence 12) N 00° 03' 26" E and continuing along the westerly line of lands owned now or formerly by the City of Rochester a distance of 61.97 feet to a point;
- Thence 13) N 01° 36' 07" E and continuing along the westerly line of lands owned now or formerly by the City of Rochester a distance of 70 feet to a point;
- Thence 14) N 00° 02' 07" W and continuing along the westerly line of lands owned now or formerly by the City of Rochester a distance of 67.97 feet more or less to the southeast corner of Lot 2 of a subdivision map of part of the Rapids Village as filed in the Monroe County Clerk's Office in Liber 7 of maps at page 45;
- Thence 15) Westerly along the southerly line of said Lot 2 and it's westerly extension a distance of 125 feet more or less to the centerline of Genesee Street;
- Thence 16) Northerly along the centerline of Genesee Street to the easterly extension of the southerly line of Lot A of the Samuel H. Knoll Subdivision as recorded in the City of Rochester Maps and Surveys Office and filed with District 27 Map 39 Submaps;
- Thence 17) Westerly along said extension and the southerly line of said Lot A a distance of 165 feet more or less to the southwest corner of said Lot A;
- Thence 18) Northerly along the westerly line of said Lot A and it's northerly extension a

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distance of 143 feet more or less to the centerline of Brooks Avenue;

Thence 19) Easterly along the centerline of Brooks Avenue to the southerly extension of the westerly line of Lots 1 thru 9 of the Brooks Estate as filed in the Monroe County Clerk's Office in Liber 7 of maps at page 5;

Thence 20) Northerly along said extension and the westerly line of said Lots 1 thru 9 a distance of 397 feet more or less to the northwest corner of Lot 9;

Thence 21) Easterly along the northerly line of said Lot 9 a distance of 168 feet more or less to the centerline of Genesee Street;

Thence 22) Southerly along the centerline of Genesee Street a distance of 3 feet more or less to the point or place of beginning.

The above described district is 9 acres more or less.

BROOKS LANDING

URBAN RENEWAL PLAN

Background

The Brooks Landing Revitalization Project area is an important neighborhood commercial/waterfront hub within the City's NBN Sector 4. The area consists of underutilized properties adjacent to the Genesee River/NYS Erie Canal. Just south of the project site is the original extent of Genesee Valley Park designed by Frederick Law Olmsted. The site is in close proximity to the Rochester International Airport and sits directly across the Genesee River from the University of Rochester campus. This is a deep-rooted City neighborhood where many current residents have lived most, if not all, of their lives. Despite the deep-rooted heritage and rich civic history, however, the area has been in severe economic, social and aesthetic decline for well over a decade. As a result of this decline, street crime has risen significantly and property values have consequently diminished. The City's adopted comprehensive plan, entitled "Rochester 2010 - the Renaissance" outlines key strategies for the revitalization of such City neighborhoods. In keeping with the plan's strategies, Sector 4 neighborhood and business organizations initiated a public design charrette held in March 2000 to establish a vision for the project area and highlight development opportunities based on land uses consistent with this vision. Since the charrette, various neighborhood leaders, development professionals and City staff have met periodically and have partnered to create a development concept plan that would take full advantage of the broad range of land uses in the project area. The concept includes a new extended stay hotel and restaurant along the Genesee River/NYS Erie Canal with an adjacent new public waterfront/promenade/boat landing, a new office/retail building and a new infill development. Some of the key benchmarks that have resulted from the post charrette efforts include the following:

- ◆ Conceptual 3D diorama model completed for public presentation.
- ◆ Traffic study completed to analyze traffic impacts associated with development concept.
- ◆ Developers identified for private development.
- ◆ Rochester's Empire zone expanded to include the hotel restaurant site.
- ◆ Parkland alienation draft legislation submitted to NY State Legislature.
- ◆ Design consultants selected for proposed public improvements (streets and waterfront).

BROOKS LANDING

URBAN RENEWAL PLAN

II. URBAN RENEWAL OBJECTIVES:

The following are key objectives for the Brooks Landing Urban Renewal District:

- A. The elimination of substandard and deteriorated structures and other blighting influences in the project area, through demolition and subsequent redevelopment.
- B. The promotion of economic development in and around the project area, through private commercial development, supporting parking facilities and public access.
- C. To convey by lease or fee simple agency owned vacant property to developers to support private development.
- D. The generation of additional jobs and municipal tax base within the project area in order to maximize utilization of City land area.
- E. To make better use of underutilized land and buildings within the project area.
- F. The beautification of the project area through the construction of new sidewalks, street scape improvement and waterfront amenities.
- G. To improve security and safety in the project area.

III. URBAN RENEWAL ACTIONS: (See “Exhibit D” for parcel actions and “Exhibit B” for Land Disposition Map)

The Urban Renewal actions to be undertaken in the project area consist of the following:

- A. Acquire selected properties from private owners in Sub-Area I, II & III.
- B. Seek parkland alienation from the New York State Legislature for land to be developed privately.
- C. Dispose of project area development sites by sale to qualified developers for redevelopment or rehabilitation in accordance with standards incorporated in the Plan.
- D. Demolish and remove selected structures on acquired property in Sub-Areas I, II and III.

BROOKS LANDING

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E. Resubdivide acquired land as follows:

Sub-Area I: Combine all project lots into two parcels to include:
- one private development parcel; and,
- one parcel to be rededicated as public parkland.

Sub-Area II: Combine all project lots into one private development parcel.

Sub-Area III: Combine 951 & 953 Genesee Street into one private development parcel.
Combine 923 & 927 Genesee Street into one private development parcel.

F. Provide relocation assistance in accordance with Federal Relocation Guidelines.

G. Design and construct modifications to the public streets as follows:

Complete ROW lane, striping, utilities, width and traffic signal improvements at intersections of Brooks Avenue/Genesee Street, Genesee Street/Elmwood Avenue, Elmwood Avenue/S. Plymouth Avenue, necessary to close off the portion of S. Plymouth Avenue between Brooks Avenue and Elmwood Avenue for subsequent project construction.

Close off portion of S. Plymouth Avenue between Brooks Avenue and Elmwood Avenue. Remove the portion of S. Plymouth Avenue within the project boundary. The entire portion of S. Plymouth Avenue between Brooks Avenue and Elmwood Avenue is categorized as a park road and not as a dedicated public right-of-way. Therefore, abandonment procedures will not be required.

Realign S. Plymouth Avenue (north of Brooks Avenue) to the Brooks Avenue/Genesee Street intersection.

Realign S. Plymouth Avenue (south of the project site) to enter into the development site.

Complete all remaining ROW improvements required for project.

H. Rededicate as parkland the area adjacent to the river and provide for a new promenade linked to the existing river trail system and provide for new public facilities to enhance the waterfront.

BROOKS LANDING

URBAN RENEWAL PLAN

IV. LAND USE PLAN: (See “Exhibit C” for Land Use Map)

A. PURPOSE:

The Brooks Landing Urban Renewal District is intended to revitalize an important mixed-use neighborhood commercial center within Sector 4 of the City. Adjacent land uses such as the U of R, Strong Medical Center, Genesee River/NYS Erie Canal waterfront and surrounding residential neighborhoods, render this location a very unique development opportunity that is consistent with the City’s updated comprehensive plan. More specifically, the following comprehensive plan campaign goals are supported by this plan:

CAMPAIGN FOUR: ENVIRONMENTAL STEWARDSHIP

Goal: (E) Preserve and enhance our waterways, parks, urban forests, recreation and open space areas through a regional “no-net-loss” approach and maximized environmental benefits derived from those resources and assets.

CAMPAIGN SIX: ECONOMIC VITALITY

Goals: (B) Develop a business and financial environment that encourages businesses and individuals to build on our rich entrepreneurial spirit.

(C) Develop strong, economically viable and diverse neighborhood commercial areas that help to provide entry-level jobs, high quality goods and personal services to our citizens, offer entrepreneurial opportunities and help increase our city’s economic development and growth.

(G) Support and promote opportunities for shopping for residents and visitors at stores, businesses and personal shops within our city.

CAMPAIGN EIGHT: TOURISM DESTINATION

Goals: (B) Encourage and help create appropriate private, market-driven investments in the local tourism industry that result in additional revenue for businesses and the creation of new jobs for local residents.

(C) Transform our extensive and unique waterfront resources, historical and cultural assets into a regional tourism destination attraction that maximizes economic, environmental and recreational benefits in a way that enhances the quality of life for city residents.

(D) To develop, protect and promote our parks, recreation and open space system as a prime four season regional tourism attraction and asset that is complementary to our diverse waterfront resources.

(E) Promote the creation of a diverse transportation system that connects our many tourism

BROOKS LANDING

URBAN RENEWAL PLAN

attractions and resources and positively contributes to the physical, social and economic well-being of our citizens, visitors and community.

(F) Develop diverse, unique tourism attractions that balance economic issues and impacts with neighborhood preservation, enhancement and protection.

(G) Capitalize on our many recreational, historic, civic and business assets as well as our high quality of life to expand recognition of Rochester as a highly desirable tourism destination and attractive place to live.

CAMPAIGN NINE: HEALTHY URBAN NEIGHBORHOODS

Goals: (B) Reduce the impacts of the concentration of poverty in our community by encouraging economic diversity, appropriate neighborhood design and planning and expanded economic opportunity.

(C) Encourage strong, stable, vital and healthy neighborhoods that retain their unique characteristics, are supported by appropriate community resources, services and amenities in village-like settings with neighborhood commercial centers serving nearby residential neighborhoods, provide essential goods and services and help create a high quality of life for every citizen.

(E) Ensure adequate parking resources or facilities that balance the protection of neighborhoods and residences with the need to sustain the economic viability and vitality of commercial areas.

(F) Develop a pedestrian circulation system that provides maximum accessibility to nearby goods and services, our parks, recreation and open space areas and other community amenities.

B. LAND USE AREAS:

To accomplish the above goals, the Urban Renewal Plan is divided into three land use areas which are comparable to zoning districts listed in the Rochester Zoning Code:

- ◆ The **Open Space** land use area (O-S) located along the edge of the Genesee River will remain in City ownership as dedicated parkland.
- ◆ The **Neighborhood Commercial** land use area (C-1) provides infill development and renovation opportunities on the west side of Genesee Street and nearly two acres of new commercial development opportunities on the east side of Genesee Street north of Brooks Avenue.
- ◆ The **Riverfront Commercial** land use area (C-2) on the east side of Genesee Street south of Brooks Avenue will provide unique riverfront development opportunities.

BROOKS LANDING

URBAN RENEWAL PLAN

1. OPEN SPACE LAND USE:

In the Sections of the District designated on the Land Use Map as O-S, all of the requirements of the O-S shall apply.

2. NEIGHBORHOOD COMMERCIAL LAND USE:

The Neighborhood Commercial Land Use Area is comparable to the C-1 Neighborhood Center District. In the Sections of the District designated on the Land Use Map as C-1, all of the requirements of the C-1 shall apply except as follows:

a. Permitted Uses:

The following uses are permitted in the Neighborhood Commercial Land Use Area when conducted entirely within an enclosed building;

- (1) Dwelling units when part of a mixed-use development with other permitted commercial uses.
- (2) Public and semi-public uses.
- (3) Retail sales and services operating between the hours of 6:00 a.m. to 11:00 p.m., except the sale, storage or display of ammunition, explosives or firearms.
- (4) Offices open between the hours of 6:00 a.m. to 11:00 p.m.
- (5) Bars, cocktail lounges and taverns operating between the hours of 6:00 a.m. and 11:00 p.m.
- (6) Restaurants operating between the hours of 6:00 a.m. and 11:00 p.m. including accessory outdoor seating/assembly areas but excluding drive-thru facilities.

b. Special permit uses:

- (1) Drive thru services when attached to employee-occupied bank branch with indoor teller service.
- (2) Ancillary parking lots.

c. Lot, area and yard requirements:

Lot, area and yard requirements shall be subject to the provisions of Section 120-36 of the Rochester Zoning Code except as follows:

BROOKS LANDING

URBAN RENEWAL PLAN

- (1) Maximum lot coverage for new infill development shall be 95%.

d. Bulk Requirements:

Bulk requirements shall be subject to the provisions of Section 120-37 of the Rochester Zoning Code except as follows:

- (1) Minimum building height - principal use or structure 1 story or 15 feet.
- (2) Maximum building height - principal use or structure 3 stories or 35 feet.
- (3) Maximum square footage - principal use 8,000 square feet on the ground floor.

e. Off Street Parking:

Off street parking shall be subject to the provisions of Section 120-173 Rochester Zoning Code except as follows:

- (1) Parking lots shall have a maximum frontage of 50 feet.

3. RIVERFRONT COMMERCIAL LAND USE:

The Riverfront Commercial Land Use Area is comparable to the C-2 Neighborhood Center District. In the Sections of the District designated on the Land Use Map as C-2, all of the requirements of the C-2 shall apply except as follows:

a. Permitted Uses:

- (1) Multi-family dwellings.
- (2) Public and semi-public uses.
- (3) Retail sales and service when conducted in an entirely enclosed building.
- (4) Offices open between the hours of 6:00 a.m. to 11:00 p.m.
- (5) Bars, cocktail lounges and taverns including accessory outdoor seating and assembly areas.
- (6) Restaurants and banquet facilities including accessory outdoor seating and assembly areas.
- (7) Hotels.

BROOKS LANDING

URBAN RENEWAL PLAN

(8) Ancillary parking lots.

b. Lot, Area and Yard requirements:

Lot, area and yard requirements shall be subject to the provisions of Section 120-44 of the Rochester Zoning Code except as follows:

(1) Maximum front yard setback shall be 0 to 5 feet except for buildings that front on the river. Buildings that front on the river shall have a minimum setback of 30 feet and a maximum setback of 60 feet from the existing river wall or river edge, whichever is closer to the building.

c. Bulk Requirements:

Bulk Requirements shall be subject to the provisions of Section 120-45 except as follows:

(1) Maximum building height - principal use or structure fronting on the river 5 stories or 65 feet.

(2) Minimum building height - N/A.

(3) Maximum square footage - principal use - N/A.

d. Off Street Parking:

Off street parking shall be subject to the provisions of Section 120-173 of the Rochester Zoning Code except as follows:

(1) Parking shall not be permitted between a building and the sidewalk on the street except for buildings that front on the river.

(2) Parking shall not be permitted between a building and the riverfront.

(3) Parking lots shall be screened from view from all directions.

e. Design Guidelines and Standards:

Design Guidelines and Standards shall be subject to the provisions of Article XIX of the Rochester Zoning Code, with the following:

BROOKS LANDING

URBAN RENEWAL PLAN

- (1) ADDITION:
Any building fronting on the river shall have a facade facing the river of equal or near equal prominence to the facade facing the public street.
- (2) EXCEPTION to Section 120-158 A.(1):
Any building fronting a river promenade shall have a facade with an active elevation facing the river. This active elevation shall include architectural features that enhance the pedestrian scale and experience of the building facade. Such elevations may or may not include windows and/or building entrances.

4. OTHER REQUIREMENTS APPLYING TO ALL LAND USE AREAS:

Other requirements including provisions regarding accessory uses and structures, air quality, dumpsters and refuse collection areas, fences and walls, flood plain regulations, landscaping buffers and screening, lighting, noise, off-street loading, off-street stacking requirements, outdoor storage, outdoor displays and signs shall be subject to the provisions of Article XX of the Rochester Zoning Code.

BROOKS LANDING

URBAN RENEWAL PLAN

V. URBAN RENEWAL PROCEDURES AND PROPOSALS:

A. PROCEDURES FOR REVIEW OF SITE AND DEVELOPMENT PLANS:

Preliminary plans including site plan and building elevations shall be submitted to the Secretary of the Urban Renewal Agency for review and approval with respect to their conformance with the objectives of the Urban Renewal Plan. Thereupon such plans shall be transmitted to the Director of Zoning for his/her determination of the appropriate site plan review required pursuant to 120-191D. of the Rochester Zoning Code.

Plans prepared at the design development phase shall be submitted to the Secretary of the Urban Renewal Agency for final review and approval.

B. DURATION OF LAND USE REGULATIONS:

The land use regulations set forth in Chapter IV of this plan shall continue in effect for a period of forty (40) years from the date of adoption of this Plan by the City Council of the City of Rochester.

C. OBLIGATION OF DEVELOPERS:

When the land in the project area is sold or leased by the City of Rochester or the Rochester Urban Renewal Agency, the purchaser or lessee and their successors or assigns shall be obligated by the terms of the contract and by the covenants set forth in the deed which shall run with the land:

1. To devote such land to the uses and to be governed by the Land Use Regulations and controls set forth in the Urban Renewal Plan and;
2. To begin and complete the construction of the improvements of such land within a reasonable time as established by appropriate provisions in the instrument of sale or lease.

D. PROCEDURES FOR AMENDING URBAN RENEWAL PLAN:

This Urban Renewal Plan may be amended at any time by the City Council of the City of Rochester in accordance with procedures then in effect for the adoption of an Urban Renewal Plan.

E. RELATIONSHIP OF THE PLAN TO THE ROCHESTER ZONING CODE:

Concurrent with the adoption of the Urban Renewal Plan, Section 120-120 of the Zoning Code shall be amended to include Section IV of the Plan.

BROOKS LANDING

URBAN RENEWAL PLAN

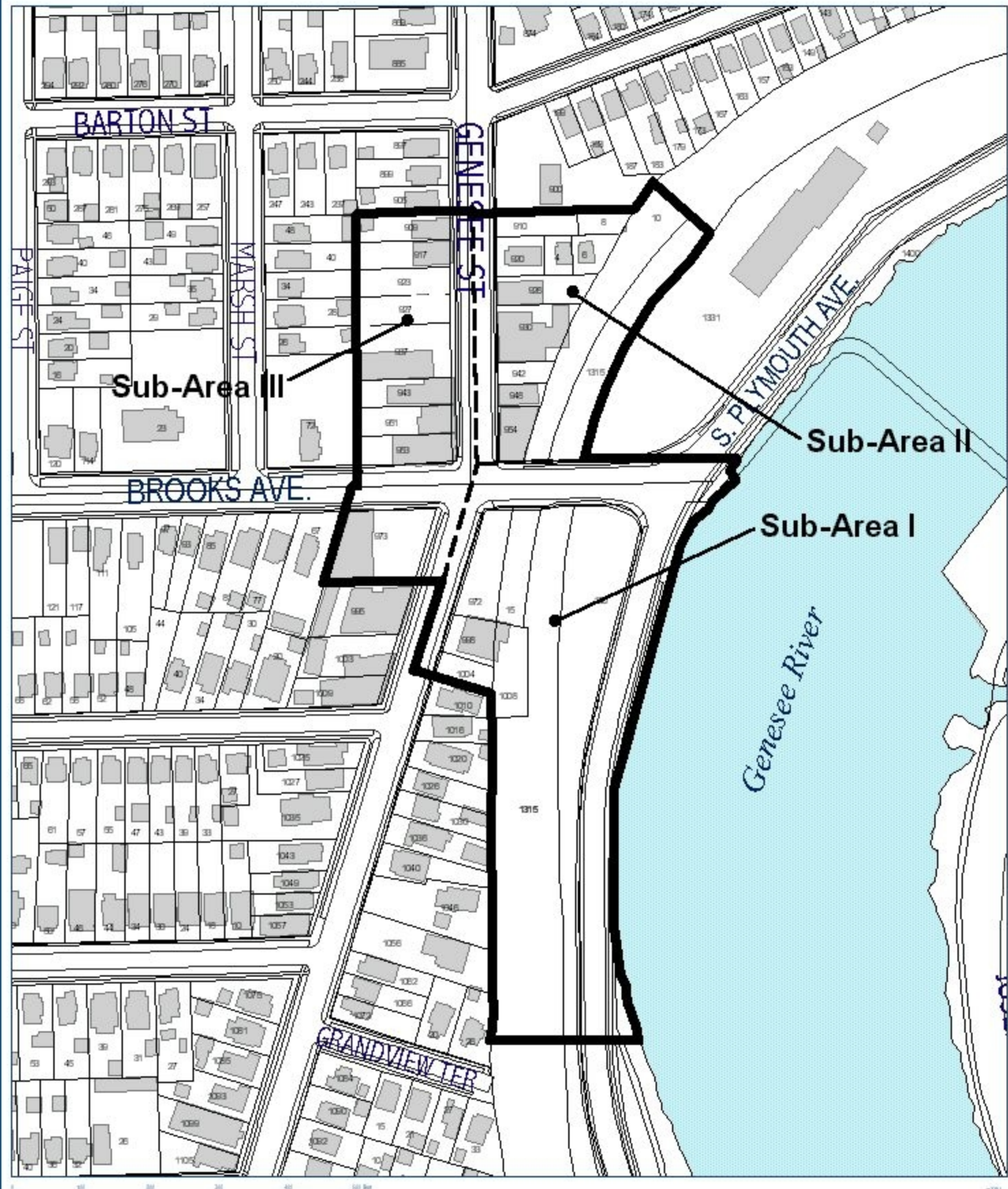
VI. SPECIAL PROVISIONS:

A. ANTI-DISCRIMINATION:

There shall be appropriate covenants running with the land as required by State statutes, rules and regulations with respect to the prohibition of discrimination in the sale, lease, occupancy, or use of any real property in the project area on the basis of race, color, creed or national origin.

VII. APPENDICES:

- EXHIBIT A. Map 1 - District Boundary Map
- EXHIBIT B. Map 2 - Land Use Map
- EXHIBIT C. Map 3 - Land Disposition Map
- EXHIBIT D. Chart - Urban Renewal Actions



CITY OF ROCHESTER

EDD - ECONOMIC DEVELOPMENT

LEGEND



Brooks Landing Urban
Renewal Boundary

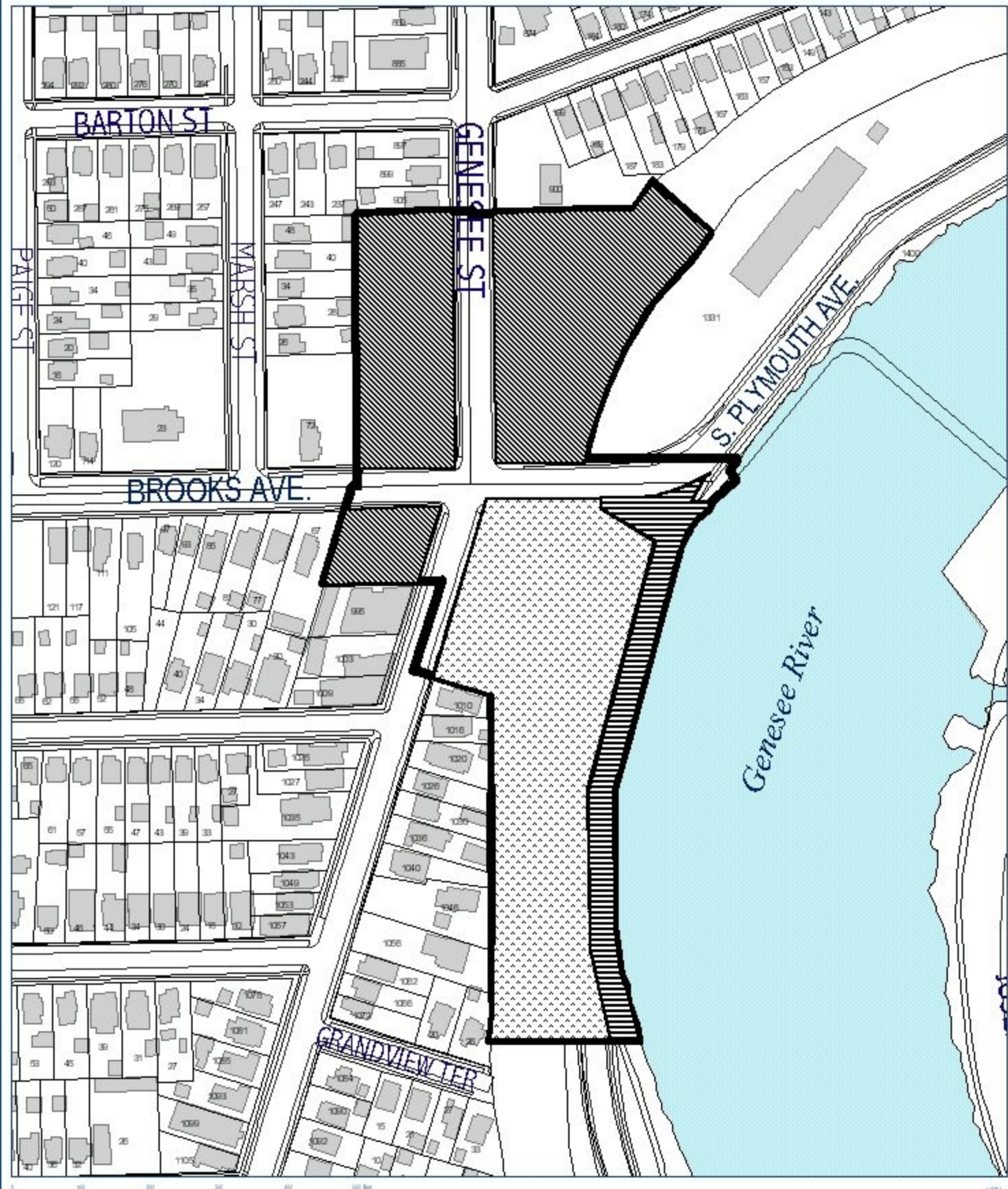


Division of Sub-Areas

Brooks Landing - Urban Renewal District
Boundary Map

EXHIBIT A

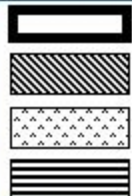
Map prepared by the City of Rochester, EDD - Economic Development
Map Date: 10/20/2011
Map Scale: 1" = 100'



CITY OF ROCHESTER

EDD - ECONOMIC DEVELOPMENT

LEGEND



Brooks Landing Urban
Renewal Boundary

Neighborhood Commercial (C-1)

Riverfront Commercial (C-2)

Open Space (O-S)

Brooks Landing - Urban Renewal District
Land Use Map

EXHIBIT C

This map was prepared by the City of Rochester Economic Development Department. It is intended to provide a general overview of the Brooks Landing Urban Renewal District. It is not intended to be used for legal purposes. For more information, please contact the City of Rochester Economic Development Department.

URBAN RENEWAL ACTIONS
Exhibit D

ACTION

Sub-Area	SBL I.D.	Street Address	Acquisition	Disposition	Demolition	Resubdivision
I	135-340-0003-023	15 Brooks Avenue	X	X		X
I	135-510-0001-001	150 Elmwood Avenue*		X		X
I	135-340-0003-022	972 Genesee Street	X	X		X
I	135-340-0003-024	998 Genesee Street	X	X	X	X
I	135-420-0002-001	1004 Genesee Street	X	X		X
I	135-420-0002-002	1008 Genesee Street	X	X	X	X
I	135-350-0001-018	1315 S. Plymouth Avenue*		X		X
II	135-340-0002-026	4 Agnew Court	X	X	X	X
II	135-340-0002-025	6 Agnew Court	X	X	X	X
II	135-340-0002-024	8 Agnew Court*		X		X
II	135-350-0001-020	10 Brooks Avenue*		X		X
II	135-340-0002-023	910 Genesee Street*		X		X
II	135-340-0002-027	920 Genesee Street	X	X	X	X
II	135-340-0002-028	926 Genesee Street	X	X	X	X
II	135-340-0002-029	930 Genesee Street	X	X	X	X

Sub-Area	SBL I.D.	Street Address	Acquisition	Disposition	Demolition	Resubdivision
II	135-340-0002-030	942 Genesee Street*		X		X
II	135-340-0002-031	948 Genesee Street	X	X	X	X
II	135-340-0002-032	954 Genesee Street	X	X	X	X
III	135-340-0002-040	909 Genesee Street				
III	135-340-0002-039	917 Genesee Street				
III	135-340-0002-038	923 Genesee Street*		X		X
III	135-340-0002-037	927 Genesee Street*		X		X
III	135-340-0002-036	937 Genesee Street				
III	135-340-0002-035	943 Genesee Street				
III	135-340-0002-034	951 Genesee Street	X	X	X	X
III	135-340-0002-033	953 Genesee Street	X	X		X
III	135-340-0002-021	973 Genesee Street				

* City Owned